

COPY**DECLARATION
AND POWER OF ATTO
Utility Application**LYON & LYON
DOCKET INFORMATION
207/263

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SELF-ADDRESSABLE SELF-ASSEMBLING MICRO-ELECTRIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS, the specification of which

Check One☐ is attached hereto.☒ was filed on July 7, 1994Application Serial No. 08/271,882

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations, § 1.56(1). I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Yes <input checked="" type="checkbox"/>	Claimed No <input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status-Patented, Pending or Abandoned
08/146,504	November 1, 1993	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,340; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; William E. Thomson, Jr., Reg. No. 20,719; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; Bradford J. Duft, Reg. No. 32,219; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; and Kurt T. Mulville, Reg. No. 37,194; James P. Brogan, Reg. No. 35,833; Corrine M. Freeman, Reg. No. 37,625; and Joseph H. Lee, Reg. No. 37,664

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hy

201	FULL NAME OF INVENTOR	FIRST Name Michael	Middle Initial(s) J.	LAST Name HELLER	
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203	FULL NAME OF INVENTOR	FIRST Name Glen	Middle Initial(s) A.	LAST Name EVANS	
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204	FULL NAME OF INVENTOR	FIRST Name Ronald	Middle Initial(s) G.	LAST Name SOSNOWSKI	
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205	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code
206	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>Michael J. Heller</i>
NAME	MICHAEL J. HELLER
Date	August 31, 1994
Signature of Inventor 202	<i>Eugene Tu</i>
NAME	EUGENE TU
Date	9/2/94
Signature of Inventor 203	<i>Glen A. Evans</i>
NAME	GLEN A. EVANS
Date	9/6/94

Signature of Inventor 204	<i>Ronald G. Sosnowski</i>
NAME	RONALD G. SOSNOWSKI
Date	9/2/94
Signature of Inventor 205	
NAME	
Date	
Signature of Inventor 206	
NAME	
Date	

(Signatures should conform to names as presented at 201 et seq. above.)

ASSIGNMENT

WHEREAS, We, **MICHAEL J. HELLER**, a citizen of the United States, residing at 1614 Hawk View Drive, Encinitas, California, 92024 and **EUGENE TU**, a citizen of the United States, residing at 3527 Lark Street, San Diego, California, 92103, **GLEN A. EVANS**, a citizen of the United States, residing at 6504 Myrtle Beach Drive, Plano, Texas 75093, and **RONALD G. SOSNOWSKI**, a citizen of the United States, residing at 1013 Adella Avenue, Coronado, California 92118 (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled "SELF-ADDRESSABLE SELF-ASSEMBLING MICROELECTRONIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS", for which application for Letters Patent of the United States of America has been filed on July 7, 1994, under Serial No. 08/271,882; and

WHEREAS, **NANOGEN**, a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at 11588 Sorrento Valley Road, Suite 16, San Diego, California, 92121, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto

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the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent and any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon request of ASSIGNEE, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or legal proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its designated legal representative any and all papers, instruments, declarations or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

RECORDED
PATENT & TRADEMARK OFFICE
WITNESS my hand at _____, California, this _____ day of
_____, 1994.

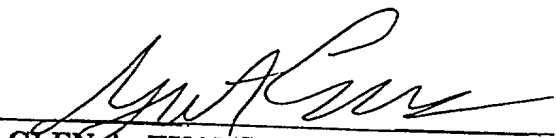
SEP -9 94


MICHAEL J. HELLER

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


EUGENE TU

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


GLEN A. EVANS

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


RONALD G. SOSNOWSKI

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